

Message Text

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PAGE 01 STATE 168387
ORIGIN L-03

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FM SECSTATE WASHDC
TO AMEMBASSY ANKARA

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E.O. 11652: N/A

TAGS:THGA, ETRD, MILI, PFOR, TU, US

SUBJECT:MEETING BETWEEN TURKISH DELEGATION AND
DOJ RE EXTENSION OF LOCKHEED AGREEMENT

REFS: (A) ANKARA 5239, (B) STATE 165390

1. TURKISH DELEGATION, REPORTED IN REFTEL A, MET WITH
DOJ OFFICIALS JULY 19 TO REQUEST THAT DOJ REGARD AS
SEPARATE THE TWO PENDING ISSUES: (1) EXTENSION OF THE
LOCKHEED AGREEMENT FOR ANOTHER YEAR; AND (2) RESOLUTION
OF DIFFERENCE IN INTERPRETATION OF ARTICLE 4 OF LOCKHEED
AGREEMENT. TURKISH DELEGATION PROPOSED THAT THE AGREE-
MENT BE EXTENDED NOW FOR ONE YEAR WITH RETROACTIVE EFFECT
AS FROM ITS EXPIRATION DATE OF JULY 8, AND THAT ISSUE
OF REACHING AN AGREED INTERPRETATION OF ARTICLE 4 BE
HELD IN ABEYANCE UNTIL A NEW TURKISH GOVERNMENT IS
FORMED.

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2. DOJ REJECTED TURKISH PROPOSAL EXPLAINING THAT LOCKHEED
AGREEMENT WHICH HAD BEEN SUSPENDED BECAUSE OF TURKISH
VIOLATION OF ARTICLE 4 HAS NOW IN FACT EXPIRED, AND THAT
ANY REACTIVATION OF THE AGREEMENT WOULD REQUIRE A MEETING
OF THE MINDS ON THE MEANING OF ARTICLE 4. IN MAINTAINING

THAT THE TWO ISSUES ARE INSEPARABLE, DOJ EXPLAINED THAT TO GIVE THEIR INVESTIGATIVE DOCUMENTS TO ANY FOREIGN GOVERNMENT AGENCY OTHER THAN A LAW ENFORCEMENT AGENCY WOULD GO BEYOND THEIR LEGAL COMPETENCE AND THAT THEREFORE MUTUAL AGREEMENT AS TO WHETHER THE TURKISH ARTICLE 88 PARLIAMENTARY COMMISSION CAN BE CHARACTERIZED AS A LAW ENFORCEMENT AGENCY IS CENTRAL TO THE REACTIVATION OF THE AGREEMENT. DOJ STRESSED THAT THERE CAN BE NO EXTENSION OF AN AGREEMENT WHERE THE ESSENCE OF THE AGREEMENT REMAINS TO BE AGREED UPON.

3. TURKISH DELEGATION, APPARENTLY SATISFIED THAT THERE WAS NO ROOM FOR NEGOTIATION ON U.S. SIDE, AGREED TO RAISE THE MATTER AFTER NEW TURKISH GOVERNMENT IS FORMED AND READY TO DISCUSS THE INTERPRETATION OF ARTICLE 4. VANCE

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